

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)
)
)
Plaintiff,) 4:11CR3037
)
)
)
v.)
) MEMORANDUM AND ORDER
JOSE JAVIER HERNANDEZ-)
CERRATO,)
)
)
Defendant.)

The defendant's appointed counsel was granted leave to withdraw. Defendant's new appointed counsel has not yet entered an appearance. The government therefore requests that defendant's change of plea hearing be continued. The court agrees. Accordingly,

IT IS ORDERED:

- 1) The government's motion to continue defendant's change of plea hearing, (filing no. 37), is granted.
- 2) The defendant's plea hearing will be held before the undersigned magistrate judge on November 13, 2012 at 10:00 a.m. The defendant is ordered to appear at this hearing.
- 3) For the reasons stated by counsel in the motion, the Court finds that the ends of justice served by continuing defendant's plea hearing outweigh the best interest of the defendant and the public in a speedy trial. Accordingly, the time between today's date and November 13, 2012 shall be excluded for speedy trial calculation purposes. 18 U.S.C. § 3161(h)(7).

DATED this 13th day of October, 2011.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge